

## **REMARKS**

### **I. General**

Claims 9-11, 14-29, 31-34 and 36-45 are pending in the application. Claims 11, 14-20, 22-29, 31-34 and 36-43 have been rejected. Claim 44 has been objected to. Claims 42, 43 and 45 are allowed. Claims 46-50 are new, and claims 11, 14-20, 22-24, 31, 38, 40-41, and 44 are amended. Applicant thanks the Examiner for indicating that claims 42-45 contain allowable subject matter and requests reconsideration of the rejected claims in light of the remarks herein.

### **II. Claim Amendments**

Claims 46-50 are new, and claims 11, 14-20, 22-24, 31, 38, 40-42, and 44 are amended. As shown by way of example below, no new matter is added.

Claims 46-50 are new. Support for the claims are found in paragraphs [0009], [0028], [0029][0031], [0035], [0036], and [0039] of the originally filed specification. No new matter is added.

Claims 11, 14-20, and 22-23 are amended to depend from claim 46 and ensure that the claims have proper antecedent basis. No new matter is added.

Claim 24 is amended to include allowable subject matter of dependent claim 44. No new matter is added.

Claims 31, 38, and 40-41 are amended in accordance with claim 24 to ensure proper antecedent basis. No new matter is added.

Claim 42 is amended herein. Support for the amendment is found in paragraph [0010] of the originally filed specification. No new matter is added.

Claim 44 is amended to delete allowable subject matter that is incorporated into its based claim (claim 24). No new matter is added.

**III. New Claims 46-50**

Independent claim 46 recites “an applicator operable to apply the postage label to the particular mail piece, wherein the postage label comprises at least two postage stamps which display postage amounts that total at least the determined required amount of postage.” Page 21 of the Office Action indicates that “wherein the postage label comprises at least two postage stamps which display postage amounts that total at least the determined required amount of postage” is not taught by the references and is allowable subject matter. As such, because the above quoted limitations are not taught by the references and are allowable subject matter, Applicant requests that the claim be allowed.

Claims 47-50 each depend from independent claim 46 thereby inheriting all the limitations therein. Thus, at least because claim 46 is allowable, claims 47-50 are likewise allowable. Applicant requests the claims be allowed.

**IV. 35 U.S.C. § 103 Rejection****A. Claims 11, 14-20, and 22-23**

Claims 11, 14-20, and 22-23 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ogg et al, United States patent publication number 2002/0073039 (hereinafter *Ogg*) in view of Allport et al, United States patent publication number 2001/0037320 (hereinafter *Allport*), in further view of Beaudoin et al, United States patent number 5,836,617 (hereinafter *Beudoin*).

Each of claims 11, 14-20, and 22-23 depend from independent claim 46 thereby inheriting all the limitations therein. Thus, at least because claim 46 is allowable, as shown above, claims 11, 14-20, and 22-23 are likewise allowable. Applicant requests the claims be allowed.

**B. Claims 24-29, 33, 34 and 36-40**

Claims 24-29, 33, 34 and 36-40 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Ogg*, in view of DeWitt et al, United States patent publication number 2003/0014376 (hereinafter *DeWitt*), in further view of *Beaudoin*.

Regarding independent claim 24, page 21 of the Office Action indicates that claim 44 includes allowable subject matter that should be incorporated into independent claim 24. As such, independent claim 24 has been amended to include allowable subject of claim 44. Thus, because amended claim 24 includes subject matter that the Examiner indicates as allowable, Applicant requests the rejection be withdrawn and the claim be allowed.

Claims 25-29, 33, 34 and 36-40 each depend from independent claim 24 thereby inheriting all the limitations therein. Thus, at least because claim 24 is allowable, as shown above, claims 25-29, 33, 34 and 36-40 are likewise allowable. Applicant requests the claims be allowed.

**V. Objection to Claim 44**

The Examiner objects to claim 44 because while it includes allowable subject matter, the claim depends from a rejected claim. Claim 44's base claim (claim 24) has been amended to include allowable subject matter of claim 44. As such, claim 24 is allowable. Thus, because claim 44 now depends from an allowable claim, Applicant requests that the object to claim 44 be withdrawn and the claim be allowed.

**VI. Conclusion**

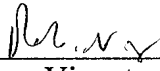
In view of the above, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. Please charge any fees required or credit any overpayment during the pendency of this Application pursuant to 37 CFR 1.16

through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees to Deposit Account No. 06-2380, under Order No. 61135/P022US/10303187 from which the undersigned is authorized to draw.

Dated: December 29, 2010

Respectfully submitted,

By   
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